

1
2
3
4
5
6
7
8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF WASHINGTON

10 JAY YOUNKER,

11 Plaintiff,

12 v.
13

14 NANCY A. BERRYHILL,
15 Acting Commissioner of Social
16 Security,

17 Defendant.

No. 1:17-cv-03046-RHW

**ORDER GRANTING MOTION FOR
REMAND**

18 Before the Court is a Stipulated Motion for Remand and jointly move the
19 Court to remand for further administrative proceedings. ECF No. 15. Based on the
20 agreement of the parties and the record, the Court finds good cause to grant the
21 motion.

22 The Commissioner's decision to deny Plaintiff's application for disability
23 benefits is **REVERSED** and **REMANDED** for further proceedings pursuant to
24 sentence four of 42 U.S.C. § 405(g). Upon remand, the administrative law judge
25 shall: (1) reevaluate the medical source opinions, including those of Dr. Matthew
26 Johnson, M.D., and explain the weight afforded to each of these opinions, pursuant
27 to 20 C.F.R. §§ 404.1527 and 416.927; (2) reevaluate the claimant's symptoms
28 consistent with 20 C.F.R. §§ 404.1529 and 417.929; (3) reassess the claimant's

ORDER GRANTING MOTION FOR REMAND ~ 1

1 residual functional capacity pursuant to 20 C.F.R. §§ 404.1545 and 416.945 and
2 Social Security Ruling 85-16 and 96-8p; and (4) if necessary, obtain supplemental
3 evidence from a vocational expert to clarify the effect of the assessed limitations
4 on the occupational base. If the Administrative Law Judge (“ALJ”) does not issue
5 a fully favorable ruling after remand, the ALJ will provide Mr. Younker a de novo
6 hearing.

7 Accordingly, **IT IS HEREBY ORDERED:**

8 1. The parties’ Stipulated Motion for Remand, **ECF No. 15**, is **GRANTED**.

9 2. The Commissioner’s decision is **REVERSED** and this matter is
10 **REMANDED** for further administrative proceedings consistent with this order.

11 3. All pending motions in this matter are now moot.

12 4. Reasonable attorney fees shall be awarded under the Equal Access to
13 Justice Act, 28 U.S.C. § 2412, upon proper request to the Court.

14 5. The District Court Executive shall enter judgment for the Plaintiff and
15 against Defendant.

16 **IT IS SO ORDERED.** The District Court Executive is directed to enter this
17 Order, forward copies to counsel, and **close the file**.

18 **DATED** this 3rd day of October, 2017.

19
20 *s/Robert H. Whaley*
21 ROBERT H. WHALEY
22 Senior United States District Judge
23
24
25
26
27
28